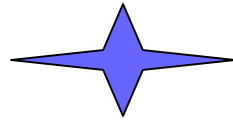


# State Water Board Underground Storage Tank (UST) Program

Joint ARB & State Water Board Staff-Level Workshop  
February 28, 2005



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# Presentation Overview

- UST Program Overview and Background
- System Components Jointly Regulated by ARB and State Water Board
- Joint ARB and State Water Board Coordination Efforts:
  - On-going
  - Assembly Bill (AB) 2955 (**Stats. 2004, Ch. 649**)



# UST Program Overview

- UST requirements established in chapter 6.7, California Health and Safety Code (HSC) & title 23, California Code of Regulations (CCR)
- UST requirements based on date of installation (e.g., pre-1984, post-7/1/03...)
- Performance and criteria-based design & construction standards evaluated by third-parties or independent testing organizations



# UST Program Regulatory Roles

## ■ USEPA

- Requires states to implement an UST Program at least as stringent as federal

## ■ State Water Resources Control Board

- Adopts regulations in title 23, CCR, as authorized by chapter 6.7 of HSC
- Evaluates UST Program implementation by Certified Unified Program Agencies (CUPAs)

## ■ Local Agencies/CUPAs

- Issue UST permits and enforce UST requirements (title 23, CCR and chapter 6.7, HSC)
- CUPA Forum Board



## System Components Jointly Regulated by ARB and State Water Board Include:

### ■ Spill Containers:

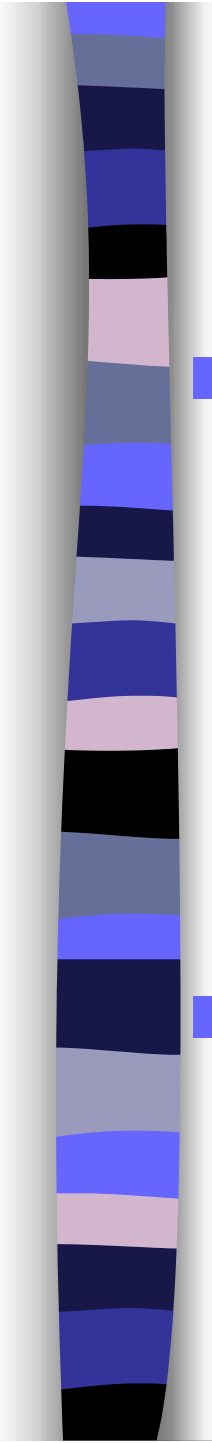
- UST requirements for minimum capacity, ability to keep spill container empty (e.g., drain valve), & corrosion protection

### ■ Overfill Prevention Systems:

- UST requirements include four options ranging from external audible/visual alarms to ball floats & positive shut-off devices

### ■ Underground Vent & Vapor Piping:

- UST requirements for double-walled piping on USTs installed on or after July 1, 2003



# Recent UST Requirements of Joint Interest - Examples

- Post-Installation Enhanced Leak Detection (ELD) Testing
  - Replaced traditional tank & line tightness test for new USTs installed on or after July 1, 2003  
(**> 425 facilities tested since October 2003**)
  - Performed after construction is complete  
(i.e., concrete poured, dispensers set)
- Vacuum, Pressure, or Hydrostatic (VPH) Continuous Monitoring
  - For new USTs installed on or after July 1, 2004  
(**> 50 facilities w/ VPH monitoring since July 2004**)



# On-going ARB/State Water Board Coordination Efforts

- Quarterly staff meetings between ARB's Vapor Recovery Program & State Water Board's UST Program
- State Water Board staff attend California Air Pollution Control Officers Association (CAPCOA) meetings
- Joint outreach efforts to local air districts and local agencies as requested



# Joint ARB/State Water Board Coordination Effort: Pre-AB 2955

- Early 2004: concerns surface that, citing post-installation ELD, certain installation contractors feel it necessary to tighten Phase I EVR equipment beyond torque settings specified in ARB's Executive Orders
- May 2004: ARB/State Water Board staff send joint letters to Phase I EVR equipment manufacturers concerning ELD procedures





# Joint ARB/State Water Board

## Coordination Effort: Pre & Post-AB 2955

- July – Oct. 2004: ARB/State Water Board staff observe installation of Phase I EVR equipment, including torque settings, at new UST facilities
- All facilities observed passed the post-installation ELD test
- Developed draft *Staff Report on Post-Installation Enhanced Leak Detection (ELD) Testing of Phase I Enhanced Vapor Recovery (EVR) Equipment* (to be discussed in more detail by Leslie Graves)
- AB 2955 (Stat. 2004, Chapter 649) passed, requiring the ARB and State Water Board to certify collaboratively and using existing resources that equipment meeting EVR regulations also meets UST requirements



# Joint ARB/State Water Board Coordination Effort: AB 2955

- AB 2955 contains additional provisions regarding grant programs, etc.
- Joint ARB/State Water Board coordination language resulted from concerns about:
  - Ability of UST systems to pass post-installation ELD tests
  - Agency coordination regarding system components regulated by ARB and State Water Board, specifically on ability of UST equipment to meet both agencies requirements



# Joint ARB/State Water Board Coordination Effort: AB 2955<sup>1</sup>

- **AB 2955 Language** (Statutes 2004, Chapter 649):
    - “25290.1.2. (a) The board and the State Air Resources Board, under the direction of the California Environmental Protection Agency, shall certify to the best of their knowledge, that the equipment that meets the requirements of Section 94011 of Title 17 of the California Code of Regulations for enhanced vapor recovery systems at gasoline dispensing facilities, as implemented by the State Air Resources Board, also meets the requirements of this chapter. The board and the State Air Resources Board shall make this certification collaboratively, using existing resources.
- <sup>1</sup> AB 2955 chaptered September 21, 2004



# Joint ARB/State Water Board Coordination Effort: AB 2955

## ■ AB 2955 Language Continued:

- (b) The board and the State Air Resources Board, under the direction of the California Environmental Protection Agency, when making the certification specified in subdivision (a), shall consult with interested parties, including local implementing agencies, underground storage tank system owners and operators, equipment manufacturers, underground storage tank system installers, and environmental organizations.
- (c) The board and the State Air Resources Board shall post the certification and any supporting documentation on their Web sites.



# Joint ARB/State Water Board Coordination Effort: AB 2955

- AB 2955 Language Continued:
  - (d) This section shall be implemented by the executive directors of the board and of the State Air Resources Board, or by their designees.
- ARB/State Water Board staff developed draft proposed ***Guidelines for Determination of Compliance of Enhanced Vapor Recovery System with Underground Storage Tank Statutes*** (to be discussed in more detail by Erin Ragazzi)
  - Guidelines reviewed by Cal/EPA



# Joint ARB/State Water Board Coordination Effort: AB 2955

- Estimated Implementation Timeline :
  - February 28, 2005: Staff-Level Workshop and end of comment period
  - April 15, 2005: ARB/State Water Board post final staff report and guidelines on websites; stakeholders notified (email)
  - November 2005: Public hearing to consider incorporation of guidelines into ARB's regulations

[www.waterboards.ca.gov/ust](http://www.waterboards.ca.gov/ust)

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